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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IBIZ, LLC, a California Limited Liability
Company,

Plaintiff,

vs.

CITY OF HAYWARD, a California
municipal corporation,

Defendant

Case No: CV 13 1537 SC

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND TIME TO FILE
REPLY BRIEF**

Hrg. Date: June 21, 2013

Hrg. Time: 10:00 a.m.

Location: Crtrm. 1, 17th Floor

Judge: Samuel Conti

COME NOW PLAINTIFF IBIZ AND DEFENDANT CITY AND STIPULATE AS FOLLOWS:

**STIPULATION AND ~~PROPOSED~~ ORDER TO EXTEND TIME TO
FILE REPLY BRIEF**

On May 7, 2013, Plaintiff IBIZ, LLC ("IBiz") filed its motion for preliminary injunction. On May 21, 2013, the City filed its papers in Opposition to the Motion. Under Local Rule 7-3(c), IBiz' reply papers are due today, May 28, 2013.

Lead drafting counsel for Plaintiff was out of the office last week caring for his wife who had significant shoulder surgery last Monday. Additionally, Plaintiff's counsel are presently involved in one other federal court matter requiring the urgent filing of TRO papers as well as a number of other nearly equally urgent matters. For these reasons, Plaintiff's counsel asked Counsel for the City if he would agree to a 10 day extension of Plaintiff's Reply Papers, subject to the approval of the Court. Counsel for the City graciously granted this request.

The requested extended filing date would be Friday, June 7th. The hearing on Plaintiff's motion is scheduled for June 21st.

STIPULATION

The parties, by and through their counsel of record, HEREBY STIPULATE, subject to the approval of the Court, to extend the time IBIZ has to file its reply papers in support of its motion for preliminary injunction, presently due on May 28, 2013, to June 7, 2013.

DATED: May 28, 2013

John H. Weston
G. Randall Garrou
Jerome Mooney
WESTON, GARROU & MOONEY

By: /s/ G. Randall Garrou
G. Randall Garrou
Attorneys for Plaintiff IBIZ LLC

DATED: May 28, 2013

MICHAEL S. LAWSON, CITY ATTORNEY

By: /s/ Michael G. Vigilia
MICHAEL G. VIGILIA
Assistant City Attorney, City of Hayward
Attorney for Defendant, City of Hayward

ORDER

Based on the stipulation of the parties, and good cause appearing therefore, the Court hereby extends the deadline for IBiz to file its reply papers in support of its Motion for Preliminary Injunction, until June 7, 2013

IT IS SO ORDERED.

DATED: 05/29/2013

